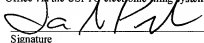
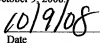


**CERTIFICATE OF MAILING OR TRANSMISSION**  
**37 C.F.R. § 1.8**

Pursuant to 37 C.F.R. § 1.8, I hereby certify that I have information and a reasonable basis for belief that this paper will be filed with the United States Patent and Trademark Office via the USPTO electronic filing system (EFS) on October 9, 2008.

  
Signature

  
Date

**PATENT**  
**016295.1576**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	§	
	§	
Marks, et al.	§	Group Art Unit: 2188
	§	
Application Serial No.: 10/805,811	§	Confirmation No.: 1073
	§	
Filed: March 22, 2004	§	Examiner: Walter, Craig E.
	§	
For: System and Method for Drive Recovery	§	
Following a Drive Failure	§	

**RESPONSE TO OFFICE ACTION MAILED JULY 9, 2008**

In response to the Non-Final Office Action mailed July 9, 2008, Applicants submit this response and respectfully request reconsideration of the Examiner's rejections. Applicants hereby authorize and instruct the U.S. Patent and Trademark Office to charge Deposit Account No. 02-0383 (matter 016295.1576) for any additional charges necessary for the filing of this response. Applicants believe that no fees are due in conjunction with the filing of this Response. Should the Commissioner deem that any additional fees are due, Applicants respectfully request that the Commissioner accept this as a Petition therefor, and direct that any additional fees be charged to Baker Botts L.L.P. Deposit Account No. 02-0383, Order Number 016295.1576.